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Department of Health & Human Services,
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Cody Phinney, and Jo Malay*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TROY MELNEK,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, JOSEPH LOMBARDO,
DIVISION OF PUBLIC AND
BEHAVIORAL HEALTH, DEPARTMENT
OF HEALTH AND HUMAN SERVICES,
CODY PHINNEY, JO MALAY, and DOES I
– V, and ROE CORPORATIONS I – V,
inclusive,

Defendants.

Case No. 2:23-cv-1303-GMN-VCF

**STIPULATION AND (PROPOSED)
ORDER TO EXTEND DEADLINE
FOR DEFENDANTS TO SUBMIT
THEIR REPLY IN SUPPORT
OF MOTION TO DISMISS**

Defendants DEPARTMENT OF HEALTH AND HUMAN SERVICES (“DHHS”),
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH (DPBH), a political subdivision of
the State of Nevada, CODY PHINNEY, in her official capacity as Administrator of DPBH,
and JO MALAY, in her official capacity as Deputy Administrator of DPBH, (collectively
“State Defendants”) and Plaintiff TROY MELNEK, by and through their respective
counsel, hereby submit this Stipulation and Order Extending Time for Defendants to
Submit their Reply in Support of Motion to Dismiss, with a current deadline of December

28, 2023. The parties respectfully request that the Court extend said deadline for an additional seven (7) days, up to and including January 4, 2024.

Although Defendants' counsel has been working on the Reply in Support of Motion to Dismiss, counsel requires an extension to complete the Reply in light of the Christmas holiday and counsel's holiday travel. This request for extension is made in good faith and is not for the purposes of delay.

WHEREFORE, the parties stipulate that the time for Defendants to file their Reply in Support of Motion to Dismiss be extended by seven (7) days up to and including January 4, 2024.

DATED this 28th day of December, 2023.

DATED this 28th day of December, 2023.

AARON D. FORD
Attorney General

THE LAW OFFICE OF DAVID SAMPSON,
LLC

By: /s/ Jessica E. Whelan
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Human Services, Division of Public &
Behavioral Health, Cody Phinney, and
Jo Malay*

ORDER

IT IS SO ORDERED.

DATED this 29 day of December, 2023.



DISTRICT COURT JUDGE